

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

BARBARA ANDERSEN,

Plaintiff,

v.

No. 1:20-cv-00553-JFR

FORREST FENN and  
FNU LNU,

Defendants.


**ORDER TO FILE AMENDED COMPLAINT**

On August 14, 2020, the Court granted Plaintiff's motion for an extension of time to file an amended complaint, granted Plaintiff 21 days to file an amended complaint, and notified Plaintiff that failure to timely file an amended complaint may result in dismissal of this case. *See* Doc. 14 at 6. Plaintiff did not file an amended complaint by the September 4, 2020, deadline and did not file a motion for an additional extension of time.

The Court ordered Plaintiff to show cause why she did not file an amended complaint by the September 4, 2020, deadline. In her Response, Plaintiff did not show cause why she did not file her amended complaint by the September 4, 2020, deadline, which is three days before Forrest Fenn died. Plaintiff now "requests additional time to file her Amended Complaint in light of Mr. Fenn's passing, the obstruction by Mr. Sommer [Mr. Fenn's counsel] to information (including basic information relative to the finder), and the ever increasing likelihood that Andersen may have claims against the estate of Mr. Fenn if discovery and direct answers are not immediately tendered." Response to Order to Show Cause ... at 4, Doc. 20, filed September 10, 2020.

The Court denies Plaintiff's request for additional time to file an amended complaint. The amended complaint was due three days before Mr. Fenn died. If Plaintiff later determines she has claims against Mr. Fenn's estate, she may file a motion to amend her amended complaint.

**IT IS ORDERED** that Plaintiff shall, within seven days of entry of this Order, file an amended complaint. Failure to timely file an amended complaint may result in sanctions, including dismissal of this case.

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**JOHN F. ROBBENHAAR**  
United States Magistrate Judge